

## **§ 75.1326**

would be created by the blast, to an area that is around at least one corner from the blasting area;

(2) The qualified person shall ascertain that all persons are a safe distance from the blasting area; and

(3) A warning shall be given and adequate time allowed for persons to respond.

(d) All shots shall be fired promptly, after all persons have been removed to a safe location.

[35 FR 17890, Nov. 20, 1970, as amended at 56 FR 51616, Oct. 11, 1991]

### **§ 75.1326 Examination after blasting.**

(a) After blasting, the blasting area shall not be entered until it is clear of smoke and dust.

(b) Immediately after the blasting area has cleared, a qualified person or a person working in the presence of and under the direction of a qualified person, shall examine the area for misfires, methane and other hazardous conditions.

(c) If a round has partially detonated, the qualified person shall immediately leave the area and no person shall reenter the affected area for at least 5 minutes.

### **§ 75.1327 Misfires.**

(a) When misfires occur, only work by a qualified person to dispose of misfires and other work necessary to protect persons shall be done in the affected area.

(b) When a misfire cannot be disposed of—

(1) A qualified person shall post each accessible entrance to the area affected by the hazard of the misfire with a warning at a conspicuous location to prohibit entry; and

(2) The misfire shall be immediately reported to mine management.

[53 FR 46786, Nov. 18, 1988; 54 FR 27641, June 30, 1989]

### **§ 75.1328 Damaged or deteriorated explosives and detonators.**

(a) Damaged explosives or detonators shall be—

(1) Placed in separate containers constructed of nonconductive and non-sparking materials; and

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(2) Removed from the mine or placed in a magazine and removed when the magazine is resupplied.

(b) Damaged detonators shall be shunted, if practicable, either before being removed from the mine or placed in a magazine.

(c) Deteriorated explosives and detonators shall be handled and disposed of in accordance with the instructions of the manufacturer.

## **Subpart O—Hoisting and Mantrips**

### **§ 75.1400 Hoisting equipment; general.**

(a) Every hoist used to transport persons shall be equipped with overspeed, overwind, and automatic stop controls.

(b) Every hoist handling a platform, cage, or other device used to transport persons shall be equipped with brakes capable of stopping the fully loaded platform, cage, or other device.

(c) Cages, platforms, or other devices used to transport persons in shafts and slopes shall be equipped with safety catches or other no less effective devices approved by the Secretary that act quickly and effectively in an emergency. Such catches or devices shall be tested at least once every two months.

(d) Hoisting equipment, including automatic elevators, used to transport persons shall be examined daily.

(e) Where persons are transported into or out of a mine by a hoist, a qualified hoisting engineer shall be on duty while any person is underground. No such engineer, however, shall be required for automatically operated cages, platforms, or elevators.

[48 FR 53239, Nov. 25, 1983]

### **§ 75.1400–1 Hoists; brakes, capability.**

Brakes on hoists used to transport persons shall be capable of stopping and holding the fully loaded platform, cage, or other device at any point in the shaft, slope, or incline.

### **§ 75.1400–2 Hoists; tests of safety catches; records.**

A record shall be made in a book of the tests, required by § 75.1400, of the safety catches or other devices approved by the Secretary. Each entry shall be signed by the person making